

REMARKS

Applicants would like to thank the Examiner for the courteous interview extended to the undersigned on April 11, 2000. Pursuant to that interview, Applicants have canceled claim 3 and incorporated the subject matter of claim 3 into claim 1. During that interview, the Examiner indicated that an amended claim combining the contents of former claims 1 and 3 appeared to define over the prior art, subject to further search and consideration.

Applicants respectfully request reconsideration and allowance of the above-identified application in view of the following remarks.

35 U.S.C. §112, second paragraph

In regard to the rejection of claims 3-6 under 35 U.S.C. 112, second paragraph for indefiniteness for failing to particularly point out and distinctly claim the subject matter to which the applicants regard as the invention, the term "said hollow rails" has been deleted from the claims. Accordingly, Applicants respectfully request that this rejection be withdrawn.

35 U.S.C. §103, Tibbals in view of Schorr and Smisek

In regard to the rejection of claims 1, 2, 4, 5, 7-9, 23 and 24 as being unpatentable over Tibbals in view of Schorr and Smisek, Applicants respectfully traverse this rejection because the cited combination of these references does not achieve a skateboard having rails "defined by respective continuous, closed cavity forming members extending substantially the length of said metal board", as recited in amended claim 1.

Applicants respectfully disagree that Tibbal's "pair of laterally spaced side sections (defined between the board rim, the top surface and bottom surfaces of respective ridges 16)" disclose, teach, or suggest rails "defined by respective continuous, closed cavity forming members extending substantially the length of said metal board", as recited in claim 1. In contrast, Figure 4 of Tibbals shows only a pair of "lateral empty spaces" under the board to either side of the keel. Further, the cited modification of Tibbals with Schorr and Smisek fails to cure this deficiency. Smisek teaches a skateboard having a skid pad that covers channels (32a, 32b) adapted to house wheels. However, the channels (32a, 32b) fail to extend substantially the length of the skateboard, as recited in claim 1 (see

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Figure 6A). Schorr also fails to teach rails defined by respective continuous, closed cavity forming members extending substantially the length of a skateboard. Therefore, Applicants respectfully submit that claims 1, 2, 4-9, 23 and 24 are not obvious over Tibbals in view of Schorr and Smisek because the cited combination of these references fails to achieve all of the limitations of claim 1.

35 U.S.C. §103, Tibbals in view of Schorr, Smisek and Endo

With respect to the rejection of claim 6 as being unpatentable over Tibbals in view of Schorr, Smisek, and Endo, Applicants respectfully submit that claim 6 is not obvious for the reasons given above with respect to claims 1, 2, 4, 5, 7-9, 23 and 24. Endo also does not disclose, teach, or suggest a skateboard having rails "defined by respective continuous, closed cavity forming members extending substantially the length of said metal board".

CONCLUSION

On the basis of the above amendments and remarks, reconsideration and allowance of the application is believed to be warranted and such action is respectfully requested. If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully urged to contact the undersigned at the number listed below.

Respectfully submitted,

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